

APPEAL NO. 041059
FILED JUNE 28, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 12, 2004. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____, and that he had disability for the period of November 3, 2003, through February 18, 2004. The appellant (carrier) appealed on sufficiency of the evidence grounds. The appeal file does not contain a response from the claimant.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the compensability and disability issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We note that both at the CCH, and again on appeal, the carrier has misrepresented the record. The carrier spent an extensive amount of time arguing that there is no indication that the claimant suffered any break in the skin of his left leg. This is untrue. The records from the (Administration) dated November 3, 2003, clearly indicate in several places that the claimant did in fact have a laceration on his left leg.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TRANSPORTATION INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Daniel R. Barry
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Veronica L. Ruberto
Appeals Judge